

Application No. 10/019,275
Amendment dated March 18, 2004
Reply Office Action of January 9, 2004

REMARKS

Claims 3-22 are pending in this application, of which claims 3-7, 10, 12, 15 and 16 have been amended, and claims 20-22 have been added.

(i) Claims 1, 2, 4, 5, 7-14 and 16-19 were rejected under 35USC§102 as being anticipated by Yoshiki (Japanese Laid Open Patent Publication No. 4-240784). Office Action, page 3, lines 3-7.

Also, claims 1, 2, 4-14 and 16-19 were rejected under 35USC§103 over Yoshiki (Japanese Laid Open Patent Publication No. 4-240784). Office Action, page 3, lines 8-13.

In this Response, claims 1 and 2 have been cancelled, claims 3 and 15 have been amended to incorporate all the limitations of claim 1, and claims 4-14 and 16-19 have been amended to be dependent on claim 3. So, these claims as amended are considered to be allowable.

(ii) Claims 20-22 have been added. Applicants respectfully request to enter the amendment of these claims because no additional prior search is necessary.

The basis of claim 20 is found at Figs. 4 and 6. In Figs. 4 and 6, it is apparent that the light of the free exciton recombination emission has an acute spectrum peak having a ridge with a steep

Application No. 10/019,275
Amendment dated March 18, 2004
Reply Office Action of January 9, 2004

inclination. The range or width occupied by the ridge including the acute spectrum peak is shown about 3nm in Fig. 4, and about 10 nm in Fig. 6. On the other hand, the spectrum peak of Yoshiki are not acute, whose width of the ridges is about 150nm in Fig.2, and more than 250 nm in Fig.4. The reason why the spectrum peak of the present invention is acute is described at page 3, lines 6 to 24, and page 5, line 16 to page 6, line 23, comparing with Yoshiki (Japanese Laid Open Patent Publication No. 4-240784). The present invention is distinct from Yoshiki because the light emission of the present invention is mainly due to free exciton recombination, but the invention of Yoshiki is due to impurities or defects.

The basis of claim 21 is found at page 8, line 26 to page 9, line 1. In the description, it is apparent that the range occupied by the ridge including the acute spectrum peak of the present invention is less than 300nm. On the other hand, the upper portion of the ridge of the Yoshiki's peak exceeds 300nm as disclosed in Fig.2.

The basis of claim 22 is found at page 6, lines 17-18. The acute peak appearing such wavelength, as recited in claim 22, is not anticipated, or non-obvious over, Yoshiki.

(iii) In view of the aforementioned amendments and accompanying remarks, the claims in pending, as herein amended, are in condition for allowance. Applicants request such action at an early date.

Application No. 10/019,275
Amendment dated March 18, 2004
Reply Office Action of January 9, 2004

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case. The limited recognition is attached.

In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Shuji Yoshizaki
Agent for Applicants
Limited Recognition

Attachment: Limited Recognition

SY/mt
1250 Connecticut Avenue, N.W., Suite 700
Washington, DC 20036
Tel: (202) 822-1100
Fax: (202) 822-1111



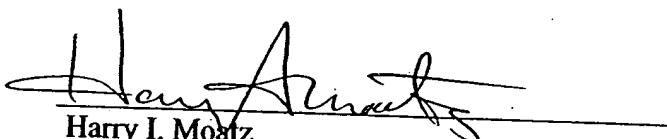
**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE
UNITED STATE PATENT AND TRADEMARK OFFICE**

LIMITED RECOGNITION UNDER 37 CFR § 10.9(b)

Shuji Yoshizaki is hereby given limited recognition under 37 CFR §10.9(b) as an employee of Westerman Hattori Daniels & Adrian, LLP. to prepare and prosecute patent applications wherein the patent applicant is the client of Westerman Hattori Daniels & Adrian, LLP., and the attorney or agent of record in the applications is a registered practitioner who is a member of Westerman Hattori Daniels & Adrian, LLP. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) Shuji Yoshizaki ceases to lawfully reside in the United States, (ii) Shuji Yoshizaki's employment with Westerman Hattori Daniels & Adrian, LLP. ceases or is terminated, or (iii) Shuji Yoshizaki ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

Expires: July 8, 2004



Harry I. Moatz
Director of Enrollment and Discipline